

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS (SHERMAN)

In re:

RYAN COLE AND SARAH COLE,

Debtors.

Case No.: 24-40647
Chapter 7

EXHIBIT
15

DECLARATION OF TODD C. WERTS

I, Todd C. Werts, am over 18 years of age, am capable of making this declaration, and state as follows:

1. I represent Jeanette Quinn, on behalf of the class of former employees in *In Re Noble Health Real Estate, LLC*, Case No. 23-20051 and *In Re Noble Health Real Estate II, LLC*, Case No. 23-20100 both pending in the United States Bankruptcy Court for the Western District of Missouri. Prior to the initiation of those bankruptcy cases, my office filed a Petition in Missouri State Court against various defendants, including certain companies owned by the debtor, Ryan Cole. That case was stayed following the Missouri bankruptcy filings.

2. During the pendency of those cases, this representation has included motion practice, participating in a two-day multilateral mediation with the debtors and other credits conducted by Chief Bankruptcy Judge Brian Fenimore, and in negotiating a partial settlement of the Former Employees claims with the current owners of the Medical System. That settlement has only been partially consummated.

3. My representation of Ms. Quinn and the putative class has also included coordination with the United States Department of Labor who has its own, multiple investigations into the Medical System's unpaid wages and benefits.

4. In related, Missouri state court litigation involving the Former Employees' claims, Ms. Quinn and I have served and followed through on multiple subpoenas, deposed a key witness and obtained more than 50,000 documents made up of nearly 200,000 pages of information and data.

5. On March 28, 2024, we filed a second petition in the Circuit Court of Callaway County, Missouri against the debtor, Ryan Cole, and other defendants. At the time of that filing, we did not know that Mr. Cole had filed bankruptcy days prior.

6. Upon receiving notice of Mr. Cole's bankruptcy, we stopped all efforts to serve process on Mr. Cole, his companies, and another individual related to those companies.

7. Litigation in the Missouri state court action has continued against other defendants not directly related to Mr. Cole. That has included successfully moving to remand the action to the state court after certain of the defendants sought to remove the case to federal district court. And Plaintiff has recently defeated an initial motion to dismiss filed by certain of the defendants.

8. Due to the timing of Mr. Cole's bankruptcy filing, it was not possible to seek, much less secure, class certification of the Former Employees' claims in the Missouri state court case.

9. Should any monies be collected by the class from other parties related to their claims for unpaid wages and benefits, then Ms. Quinn and her counsel will supplement her proof of claim to provide a full accounting of all monies received by the class for these claims

10. Filed herewith are the following:

- a. Ex. 1 - Deposition of Amy O'Brien taken February 22, 2023;
- b. Ex. 2 - Email dated Dec. 8, 2022;

- c. Ex. 3 - 4.1.22 Payroll;
 - d. Ex. 4 - 4.15.22 Payroll;
 - e. Ex. 5 - 4.29.22 Payroll;
 - f. Ex. 6 - 04.24.22 to 05.07.22 payroll hours for nonpaid staff | Callaway;
 - g. Ex. 7 - 04.24.22 to 05.07.22 payroll hours for nonpaid staff | Corporate;
 - h. Ex. 8 - 05.08.22 to 06.04.22 payroll hours nonpaid staff;
 - i. Ex. 9 - 08.14.22 to 08.27.22 payroll hours | Audrain;
 - j. Ex. 10 - 08.14.22 to 08.27.22 payroll hours | Callaway;
 - k. Ex. 11 - 08.28.22 to 9.10.22 payroll hours | Audrain;
 - l. Ex. 12 - 08.28.22 to 9.10.22 payroll hours | Callaway;
 - m. Ex. 13 - Platinum Purchase Agreement;
 - n. Ex. 14 – Pasture Medical Purchase Agreement; and
 - o. Ex. 15 – Declaration of Todd C. Werts.
11. Exhibit 1 was a deposition taken, pursuant to Missouri state court subpoena.
12. Exhibits 2–13 are true and correct copies of documents produced by Amy O'Brien pursuant to subpoena in Missouri state court litigation.
13. Exhibit 14 is a copy of the contract the current owners of the Medical System, Pasture Medical entered into to purchase the Medical System from Ryan Cole's companies, obtained from the U.S. Department of Labor.

I, Todd C. Werts, declare under penalty of perjury under the laws of the United States of America that I have read the foregoing statement and that it is true and correct to the best of my knowledge, information, and belief.

Dated: April 10, 2025

/s/ Todd C. Werts